

REMARKS

Reconsideration of the application, as amended, is respectfully requested.

Claim 1 has been amended recite the pourable, edible, frying composition aspect of the invention within the body of the claim so it is no longer present just in the preamble.

Claim 1 has also been amended to recite that the pourable composition has a Bostwick value of at least 7 at 15° C. The latter limitation is supported at page 4, first paragraph of the specification. New claim 21 recites a Bostwick value of more than 10 at 15° C, as disclosed on page 1 of the specification.

The Office points to Asahi as teaching an oil in water emulsion which includes citric acid monoglyceride. The Office indicates that the claims appear to differ from Asahi in the recitation that the emulsion is pourable and useful in frying. The Office appears to assume that the pourability of the composition of the present invention could be assessed at any temperature. Claims 1 and 14 have been amended to recite that the products have a Bostwick value of at least 7 at 15° C. The undersigned has been informed that a plastic emulsion according to Asahi does not have such a Bostwick value. New claim 21 recites an even higher Bostwick value.

As to the recitation in the body of the claims that the composition is a frying composition, the Office points to no reason why the Asahi disclosure would lead one of ordinary skill to believe that the compositions disclosed therein are suitable for frying. Consequently, it is respectfully requested that the rejection based on Asahi be withdrawn.

With respect to the rejections based on RD239018 and RD283064, the Office again argues that the pourability element of the present claims would be met by the ability to pour at some unspecified elevated temperature. Applicants have amended claims 1

and 14 to recite a Bostwick value of at least 7 at 15° C. The Office points to no reason why the RD compositions would meet that element of the claims. Therefore, it is respectfully submitted that the rejection based on the RDs be withdrawn. New claim 21 recites an even higher Bostwick value.

Applicants are amenable to filing a terminal disclaimer over U.S. Patent No. 6,517,884 upon indication of allowable subject matter.

In view of the foregoing it is respectfully requested that the application, as amended, be allowed.

Respectfully submitted,



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